

THE NATAL MINES ACT, 1899.

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No. 43, 1899.]

WALTER HELY-HUTCHINSON,
Governor



“To consolidate and amend the Laws relating to Mining.”

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows :—

Part I.

PRELIMINARY.

Short title.

1. This Act may be cited as “The Natal Mines Act, 1899.”

Repeal.

2. Law No. 34 of 1888, entitled “The Natal Mines Law, 1888,” and the Zululand Proclamation No. VII., of 1894, are hereby repealed, but such repeal shall not affect :—

- (a) The past operation of the said Law No. 34 of 1888, and the said Zululand Proclamation No. VII. of 1894, and of any prior Laws, Proclamations, or Regulations.
- (b) Anything lawfully done under or validated by any of the said Laws or Proclamations mentioned in Sub-section (a).
- (c) Any right, title, interest, or privilege acquired (not being inconsistent with this Act), or any liability incurred under any of the said Laws and Proclamations.
- (d) Any penalty, forfeiture, or other punishment incurred in respect of any offence against any of the said Laws and Proclamations.

- (e) Any suit or other proceeding depending in any Court or before any person, which shall be continued and concluded as if this Act had not been passed.
- (f) Any Appointments, Regulations, Orders, or Notices in force at the time of the commencement of this Act, save so far as they may be contrary to or inconsistent with this Act.

3. The holder of, or the person owning the right, title, and interest in any prospecting area, claim, lease, provisional application for lease, water right, dam, machine site, mill site, or other licensed holding of any kind, granted, held, or occupied under or in pursuance of any Laws, Proclamations, regulations, or provisions in force prior to the commencement of this Act, may at any time surrender and yield up the same on payment of all rents, license fees and other moneys due in respect thereof, and upon compliance with all conditions as regards notice or otherwise relating to such holding, and in such case such holder or person shall be entitled to acquire title under the provisions of this Act, and in compliance therewith, to the land so held :

Conversion of existing titles into titles under this Act.

Provided, however, that the Commissioner of Mines in his discretion may in the case of mining or mineral leases held under any previous Law or Proclamation permit such leases to be registered as mining claims under and subject to the provisions of this Act and the Regulations. Provided, however, that the said leases so converted into claims may remain of the form, dimensions, and area as originally beaconed, and the survey and diagrams thereof may be accepted as if made under the provisions of this Act, anything contained in this Act and the regulations in respect of mining claims to the contrary notwithstanding. Provided, further, that the mining claim license fees to be paid in respect of such claims shall be at the rate of thirteen shillings per acre for Metal Mining Claims, and five shillings per acre for Mineral Mining Claims, payable and renewable as in the case of mining claim licenses.

4. In the construction and for the purposes of this Act, the following terms in inverted commas shall have the respective meanings hereby assigned to them, unless there be anything in the subject matter or context repugnant to such construction :—

Interpretation

“Crown Lands.”—All unoccupied unalienated lands of the Crown, except as follows :—

- (a) Lands dedicated to or reserved for any public purpose
- (b) Ordnance lands or other lands of any department of the Imperial Government.

- (c) Lands specially exempted from the operation of this Act, either by the terms of the Act itself or by Notice in the *Natal Government Gazette* by order of the Governor in Council.

“Owner.”—The registered owner of any lands held under freehold or quitrent tenure, the Natal Native Trust, and any trustees in whom the registered ownership of any land is vested.

A person holding lands under a contract of purchase from the Crown shall be deemed the owner, notwithstanding that transfer has not yet been made.

“Mining purposes.”—The purpose of searching for mining and removing minerals, including the erection of machinery, and the construction of works connected with such purposes, and the doing of all lawful acts, incident or conducive thereto.

“Native Gold.”—Includes gold or precious metal in whatever form, although smelted, which is not manufactured or made up into any article suitable for trading purposes. It also includes raw gold or other precious metal and amalgam.

“Precious Stones.”—Shall mean and include diamonds, rubies, sapphires, and emeralds.

“Minerals.”—All substances which can be extracted from the earth by mining operations for the purpose of profit: Provided that the term mineral shall not apply to any stone or clay for use for building, road-making, or kindred purposes, except such as are mentioned in this Act, nor to any minerals which, not being so mentioned, may be excepted from the operation of this Act by Government Notice by order of the Governor in Council.

“Dam” or “Reservoir.”—Any artificial storage or accumulation of water.

“Mine.”—All workings of minerals, including quarrying and other methods of excavation on the surface, and from the surface downwards, and underground, together with all erections and appliances, matters, or things of what nature soever connected therewith or belonging thereto, above and below ground for the purpose of prospecting for or winning minerals.

“Mine Owner.”—Any person, or body of persons, being the immediate holder or lessee of any mine or part thereof, and not being a person or body of persons who merely receive a royalty or rent from a mine, or who is merely the owner of a mine subject to any contract for the working thereof. Where a mine is owned by a Company or Syndicate not registered in this Colony, and having its Board of Directors beyond the Colony, the duly appointed Agent of such Company or Syndicate in the Colony will be considered to be the Mine Owner.

“Owner’s Agent.”—The Representative of the Mine Owner, but who is not necessarily the responsible person under this Act for the control, management, and direction of the mine.

“Manager.”—The person appointed by the Mine Owner or his Agent as responsible under this Act for the control, management, and working of the mine.

“Prospecting Claim.”—A portion of ground of a size fixed by this Act assigned for the purpose of searching for minerals in accordance with the provisions of this Act.

“Mining Claim.”—A portion of ground of a size fixed by this Act assigned for the purpose of mining for and disposing of minerals in accordance with the provisions of this Act.

“Alandon,” when used in reference to a claim or holding, shall mean to summarily determine the right to and interest in such claim or holding.

“Person.”—Shall include any Company or Syndicate.

“Native.”—Shall mean a Native as defined by Law No. 14, 1888.

“Minister.”—The Minister for the time being charged with the control of the Mines Department.

“Commissioner of Mines.”—The Officer appointed by the Governor in Council as being in charge of the Mines Department in accordance with the provisions of this Act, and who is under the control of the Minister.

“Deputy Commissioner of Mines” or “Deputy Commissioner.”—The District Officer of the Mines Department subordinate to the Commissioner of Mines.

“Magistrate” includes Resident Magistrate.

“Regulations.”—Regulations made by the Governor in Council under this Act.

The singular number shall, unless inconsistent with the context, include the plural, and *vice versa*, and the masculine gender the feminine gender.

Any reference to this Act shall, unless the contrary sense appear, include a reference to the regulations.

5. The Governor in Council shall appoint all such officers as are required for carrying out this Act, and may assign to such officers their respective titles, duties, and districts. In case of necessity arising through the temporary absence or inability to act of any officer, the Minister may appoint a deputy to carry out any or all the duties of such Officer, pending an appointment in due course. Officers.

6. The Minister shall have power to create any Board and to appoint or approve of persons as members of any Board that may be necessary for carrying out the provisions Boards.

of this Act, and among others for the purpose of appeal, arbitration, assessment of compensation, enquiry, and examination of candidates for certificates or otherwise, and to pay them out of the general revenue of the Colony such remuneration as may be appointed by the regulations or otherwise.

Officers not to hold mining interests.

7. No Officer appointed by the Governor in Council for the purpose of carrying into effect any of the provisions of this Act shall be allowed, either directly or indirectly, to possess any claim or claims, or any interest therein, or to hold any share or shares in a Mining Company or any Syndicate or Partnership relating to mining matters in the Colony of Natal, except such share or shares as such officer may hold at the time of his appointment, and be authorised to continue to hold by the Governor.

Any Officer guilty of a breach of the provisions of this section may be suspended from office or may be dismissed

Classification of claims.

8. Parcels of land to be called claims may be granted under and subject to the provisions of this Act as follows :—

ALLUVIAL CLAIMS of a size not exceeding 100 feet x 100 feet (0.229 acre), granted for the purpose of prospecting or mining for precious stones and alluvial minerals, and all other minerals.

ETAL CLAIMS of a size not exceeding 300 yards x 300 yards (18.595 acres), granted for the purpose of prospecting or mining for gold and other minerals, including coal, but excepting precious stones and alluvial minerals.

MINERAL CLAIMS of a size not exceeding 700 yards x 700 yards (101.239 acres), granted for the purpose of prospecting or mining for coal, limestone, stratified ironstone, slate, soapstone, and such other minerals as may from time to time be included by Government Notice by order of the Governor in Council.

The foregoing Claims may be granted as Prospecting or Mining Claims for the purposes respectively prescribed by this Act, and shall be described as follows :—

Alluvial Prospecting Claims.

Alluvial Mining Claims.

Metal Prospecting Claims.

Metal Mining Claims.

Mineral Prospecting Claims.

Mineral Mining Claims.

Provided, however, that the dimensions and areas above prescribed shall not apply in the case of the conversion of Leases into Claims under Section 3.

Part II.

RIGHTS OF THE CROWN.

9. The right of mining for and disposing of all minerals on lands situated in the Colony of Natal is vested in the Crown, subject to the provisions of this Act, and nothing in this Act regarding the prospecting, mining, or disposal of minerals shall abridge or control the rights and powers of Her Majesty in respect of such minerals, otherwise than is expressly provided in this Act.

Rights of the Crown.

Part III.

CROWN LANDS.

PROSPECTING.

10. It shall be lawful for any person to prospect and search for minerals on any Crown Lands without a license, so long as such prospecting is confined to a general examination of the surface, and that no excavations are made. He may also peg off not more than four claims in accordance with the provisions of this Act, but without a license: Provided that unless he shall, within fourteen days from the date of pegging any such claims, obtain a prospecting claim license or licenses, as hereinafter provided, such claim or claims shall be deemed to be abandoned.

Prospecting.

Pegging off claims.

11. Prospecting Claim licenses may be issued by the proper officer to any person of either sex over the age of 16 years, of European birth or descent: Provided that not more than four such licenses shall be held by any one person at any one time. Application for such license must be in person, unless the applicant is already the holder of a claim license issued by the Officer to whom such application is made.

Prospecting claim licenses.

This section shall not be deemed to prevent one person from holding more than four prospecting claim licenses by transfer in manner provided by this Act, or by the renewal of transferred licenses, or to prevent any person who has duly transferred any prospecting claim licenses registered in his name, or whose claims may have lapsed, from making application as hereinbefore provided for the issue of other similar licenses.

The fee to be paid for every Prospecting Claim License shall be One Shilling for each and every period of three months for which the same is to be in force, payable in advance.

Fee.

Rights under
license,

12. Each prospecting claim license shall entitle the holder to peg, or cause to be pegged, one Prospecting Claim on any Crown Lands in the Colony, which claim he may hold subject to the provisions of this Act and the regulations for the period for which the license was granted or renewed.

Registration of
claim,

13. Such prospecting claim shall be registered, within a time to be fixed by the Regulations, at the Mines Office of the District in which such claim is situated, in a book to be kept for the purpose, and a fee of Five Shillings shall be paid for the registration of each claim, and a certificate of registration to the said claim in the form of Schedule A shall thereupon be issued to the holder by the Deputy Commissioner: Provided that in the event of existing holdings being converted into prospecting claims under this Act a registration fee of Two Shillings and Sixpence shall be payable.

Fee.

Certificate.

Fee on conversion of
existing
holdings,

Payment of fees.

14. Prospecting claim license fees shall be payable in advance, at the Mines Office of the District in which claims held in virtue thereof are registered.

Renewal of
license,

15. On payment of the fee for the renewal of a prospecting claim license, a new licence shall be issued to the claimholder at the Mines Office of the District where such claim is registered.

Payment in
advance,

16. Prospecting claim and other license fees may at any time be paid in advance for any number of months, not exceeding twelve, but no refund will be made under any circumstances. Such licenses shall be dated as of the date of issue, but may be expressed to run as from a date prior or subsequent to such date of issue.

Date of license
and of its com-
mencement.

Abandonment,
for arrears, of
claim of less
than 12 months'
standing,

17. If the license in respect of any prospecting claim which has been registered for a less period than twelve months be not renewed within fourteen days of its due date, or if any other moneys due in respect of such claim remain unpaid for seven days after payment is due, notice shall be posted at the Mines Office of the District that such claim will be abandoned and open to be re-pegged unless the said license and other moneys be renewed and paid by a given date to be mentioned in the notice, which shall not be less than fourteen days after the posting of such notice, and in default of renewal and payment by the time stated in such notice, the claim may be abandoned by the Deputy Commissioner of Mines, and shall thereupon be open to be re-pegged.

Abandonment,
for arrears, of
claim of 12
months' stand-
ing,

18. If the license in respect of a prospecting claim which has been continuously registered for a period of twelve months or more, be not renewed within fourteen days of its due date, or if any other moneys due in respect of such claim remain unpaid for fourteen days after payment is due, notice shall be given to the claimholder by delivering the same at, or posting the same to, his registered address, and shall also be published in the *Natal Government Gazette* and one other

newspaper and posted at the Mines Office of the District, to the effect that such claim will be abandoned, and open to be re-pegged on a date to be fixed, which shall be not less than 21 days from the date of publication of such notice in the *Natal Government Gazette* and one other newspaper, unless the said licenses, and any other moneys due in respect of such claim, together with a fine at the rate of One Pound per claim, be renewed and paid by the said date: Provided, however, that such fine as aforesaid shall not be payable if the said licenses and any other moneys due be renewed and paid, or notice of abandonment of the claim by the claimholder given to the Deputy Commissioner, within twenty-eight days after the date of expiry of such licenses. At the expiration of the term appointed by the notice the Deputy Commissioner may, unless the requirement thereof has been complied with, declare the same to be abandoned and open to be re-pegged.

19. The former owner of any claim abandoned as aforesaid shall not be allowed to re-peg or acquire the same or any part thereof, either directly or indirectly, except on payment of all the license fees and the fine (if any) and all other moneys due in respect of such claim to date, and then only in the discretion of the Commissioner of Mines, and if no application for the said claim shall have been made by any other person.

Disabilities of former owner of abandoned claim.

20. The registered holder of a prospecting claim shall have the right to generally prospect the same, and to carry out such work, erect such buildings, machinery, and do such other acts and things on such claim as may be necessary to the *bona-fide* prospecting and development thereof:

Rights of registered claimholder.

Provided, however, that the sale or other disposal of any mineral extracted from such claim in the course of prospecting or development, and the extraction of any metal from its ore or the mineral containing it by any mechanical or chemical or other process for purposes of profit, shall be and is hereby prohibited, except under the special permission in writing of the Commissioner of Mines.

Saving as to extraction or sale of minerals.

21. Prospecting claims may be amalgamated upon and subject to the conditions contained in the Regulations.

Amalgamation of prospecting claims.

In the case of an amalgamated block of claims, work may be concentrated on one or more points, or distributed over such block in the discretion of the holder or holders.

22. Every prospecting claim or amalgamated block of prospecting claims must be worked in accordance with the regulations, or a license as hereinafter provided, must be obtained, exempting such claims from such work.

Working.

23. An Exemption License in the form of Schedule B will be granted for any claims exempting the same from the working conditions referred to in the last preceding section on payment of a fee of One Pound for each period of three

Exemption License.

months or less per claim payable and renewable as in the case of prospecting claim licenses.

Compulsory
conversion into
Mining Claim.

24. If at any time it shall appear to the Commissioner of Mines to be detrimental to the public interests that any prospecting claim shall continue to be held as such, it shall be lawful for him to give notice to the claimholder to convert his Prospecting Claim into a Mining Claim, and to make the necessary application under the provisions of this Act and regulations by the date stated in such notice, or by such date to show cause to the contrary by personal appearance or by forwarding to the Commissioner of Mines his objections, if any.

Such notice shall also be posted at the Mines Office of the district where such claim is situated. Upon receipt of such objections the Commissioner of Mines may, with the approval of the Minister, accept the same as sufficient, or may reject the same, and shall notify the claimholders accordingly.

In the event of the objections aforesaid being held insufficient and in default of due compliance with such notice, then it shall be lawful for the Commissioner of Mines, with the approval of the Minister, to declare such Prospecting Claim to be abandoned, and all licenses granted in respect thereof to be cancelled.

MINING.

Mining, etc., for
profit.

25. The mining, extraction, and disposal of any mineral for the purposes of profit on or from any Crown lands is prohibited, except on and from ground duly registered as a Mining Claim in accordance with this Act, or otherwise lawfully held for such purposes under the provisions of any previous laws or proclamations.

Mining Claim to
be licensed
before beaoned
off.

26. No Mining Claim shall be beaoned off unless and until a Mining Claim License shall have been first obtained as hereinafter provided.

Prior right of
Prospecting
Claim holder.

27. The registered holder of a Prospecting Claim shall have the prior right to the registration of a Mining Claim on the ground held as such Prospecting Claim.

Mining Claim
licenses.

28. One or more Mineral Mining Claim Licenses, and not more than four Alluvial or Metal Mining Claim Licenses, may be issued by the proper officer to any one person of either sex of European birth or descent over the age of sixteen years. Application for such license must be made in person unless the applicant is already the holder of a claim license issued by the officer to whom such application is made.

This section shall not be deemed to prevent any person who has become the holder by transfer of more than four Prospecting Claim Licenses from obtaining Alluvial or Metal Mining Claim Licenses for so many prospecting

licenses as he holds : Provided that such Mining Claim Licenses shall not authorise the pegging off of Mining Claims upon any land other than that which may be held under such Prospecting Claim Licenses as aforesaid.

This section shall also not be deemed to prevent any person who has duly transferred any Alluvial or Metal Mining Claim Licenses, or whose claims have lapsed, from making application as hereinbefore provided for the issue of other similar licenses.

29. The fee to be paid for every Mining Claim License shall be Two Pounds per month for an Alluvial or Mineral Claim and One Pound per month for a Metal Claim for each month for which the same is to be in force, payable in advance, except in the cases hereinbefore provided for of claims granted in exchange for leases.

License Fee.

30. Each Mining Claim License shall entitle the holder to peg or cause to be pegged one Mining Claim of the class mentioned in the license on any Crown Lands, which claim he may hold subject to the provisions of this Act and the Regulations for the period for which the license is granted or renewed.

Rights under license

31. Every mining claim shall be registered within the time appointed by the Regulations at the Mines Office of the District in which such claim is situated in a book to be kept for the purpose, and a fee of Ten Shillings shall be paid for such registration, and a Certificate of Title to the said claim in the form of Schedule C, with surveyor's diagrams attached thereto, shall thereupon be issued to the holder, duly signed by the Minister, and upon the issue of such Certificate, the Title to such mining claim shall be indefeasible, but the Certificate of Title shall be issued subject to such reservations as may be inserted under the provisions of this Act in that behalf.

Registration of Mining Claims.

Fee.

Certificate.

32. Mining claim licenses shall be payable in advance on the first day of every month, at the Mines Office of the District in which claims held in virtue thereof are registered. Licenses taken out on or before the 15th day of the month shall be payable as for a full month. Licenses taken out after the 15th day of the month shall be payable as for half a month, by half the monthly fee.

Payment of license fees.

33. On payment of the fee for renewal of a mining claim license a new license shall be issued to the claimholder by the Deputy Commissioner at the Mines Office of the District where such claim is registered.

Renewal of license.

34. Mining claim and other license fees may at any time be paid in advance for any number of months, not more than twelve, but no refund thereof will be made under any circumstances except where otherwise provided in this Act

Payment in advance.

Date of license
and of its com-
mencement.

Abandonment,
for arrears, of
Mining Claim.

or the Regulations. Such licenses shall be dated as of the date of issue, but may be expressed to run as from a date prior or subsequent to such date of issue.

35. If any license fees, royalties, dues, fines or other moneys payable in respect of any mining claim or claims shall be in arrear and unpaid for the space of one month after the due date of payment thereof, it shall be lawful for the Commissioner of Mines to cause a demand for payment of such license fees, royalties, or other moneys in arrear and unpaid as aforesaid to be made on the claimholder, such demand being made by registered letter and posted to his registered address or delivered to him personally or left at such registered address, and notice thereof shall be published in the *Natal Government Gazette* and one other newspaper, and posted at the Mines Office of the District where such claim is situated. If payment of the amount so due, together with all license and other fees accruing in the meantime in respect of such claim or claims, together with a fine not exceeding Two Shillings per claim per diem from the date of such demand (if the Minister sees fit to impose the same), be not made by the date fixed in such demand, being not less than one month from the date of publication in the *Natal Government Gazette* and one other newspaper, the Minister may cause such claim or claims to be publicly sold at such time and in such manner as he may decide.

Notice of the sale of such claim or claims shall be published in the *Natal Government Gazette* and one other newspaper, and posted at the Mines Office of the District where such claim is situated, at least fourteen days previous thereto.

Proof of the posting and publication of such notices as aforesaid shall be sufficient, and it shall not be necessary to prove that the same were received by the license holder.

If payment of the amounts due and of all costs be made before the sale, the sale may be withdrawn.

Seizure of
machinery,
metals, etc., for
arrears.

36. In addition to the power of sale in the preceding section provided, and concurrently with or independently of any such sale, it shall be lawful for the Minister, or any person duly authorised by him in that behalf, if any royalties or fines or other moneys due in respect of such claim, lawfully payable to the Government, be in arrear and unpaid for one month from the due date thereof, to enter upon the said claim or claims and to seize the machinery and plant, tools, buildings, or other property or any minerals at grass for the time being, in, under, or upon any part of such mining claim.

Upon making such seizure, the Minister shall cause a demand to be made upon the claimholder for the payment of the amount so due, together with all expenses.

Notice of such demand shall be posted and published, as prescribed in the foregoing section, and shall appoint a

time, not being earlier than a month from the date of publication, within which payment must be made.

If payment be not made within the time so appointed, the Minister, or other person so authorised as aforesaid, may sell the said property and minerals, or any part thereof, by public auction, on such terms and in such manner as the Minister may think fit.

The right of seizure conferred on the Minister as aforesaid shall be a Government hypothec, preferent over any creditors, whether secured or not,

37. From the proceeds of any such sale, or seizure and sale, or both, under the two foregoing Sections, the expenses thereof, together with the amounts due to the Government, and any fine imposed as provided therein shall be first paid, and the balance, if any, shall be payable in discharge of any lien for wages as provided for in this Act, and the disposal of any balance then remaining shall, subject to any Regulations made in that behalf, be paid to the person entitled thereto: Provided, however, that the Government may in its discretion permit that after payment of all expenses the lien for wages be first paid.

38. If any claim offered for sale as aforesaid should prove unsaleable, then the same shall be abandoned and declared open to re-pegging:

Provided, however, that the former holder of such claim shall not be allowed to re-peg, or acquire the same or any part thereof, either directly or indirectly, except on payment of all the fees, royalties, fines, and other moneys due in respect thereof, including liens for wages and all expenses incurred, and then only in the discretion of the Commissioner of Mines, and if no application for the said claim shall have been made by any other approved person.

39. The registered holder of a mining claim shall have the right to carry on mining operations, and erect such machinery, buildings, plant, and generally do all such acts and things in and upon such claim for the purpose of working the same and extracting minerals therefrom, and to turn such minerals to profitable account, subject to the conditions of this Act and the Regulations.

40. Mining claims may be amalgamated into blocks, as may be provided for in the Regulations.

Every mining claim or amalgamated block of mining claims must be worked in accordance with the regulations, or a license as hereinafter provided, must be obtained exempting such claims from such work.

An Exemption License in the form of Schedule B will be granted for any claims exempting the same from the working conditions referred to in this section on payment of a fee of Ten Shillings per month per claim, payable and renewable as in the case of mining claim licenses, and the fee for

Sale of seized property.

Government hypothec.

Disposal of proceeds of sale.

Wages.

Abandonment of Mining Claim.

Disability of former holder.

Rights of registered Mining Claim holder.

Amalgamation of Mining Claims.

Working.

Exemption license.

an Exemption License taken out after the fifteenth day of any month shall be Five Shillings per claim for the remainder of that month.

Royalty

41. There shall be payable on all minerals extracted from Crown Lands, under licenses granted under this Act, a Royalty at the rate of one and one half ($1\frac{1}{2}$) per centum, calculated on the value of such minerals at the mine.

The payment of such royalty shall be made at such times as may be provided in the Regulations.

Part IV.

PRIVATE LANDS.

Application of provisions relative to Crown Lands,

42. The provisions of this Act, and of the Regulations framed thereunder in respect of Crown Lands, shall apply to all Private Lands, save as in this Act otherwise provided.

Rights of owner.

43. Notwithstanding anything to the contrary contained in this Act, an owner of land, not being of European birth or descent, may, in respect of the land owned by him and of any minerals, metals, or precious stones found therein, exercise all the rights and powers conferred by this Act.

Prospecting by owner,

44. Any owner of land, or any person *bona fide* appointed by him, shall be at liberty to prospect for minerals within the boundaries of his own land without taking out a prospecting claim license, but shall not peg off any claim without first taking out the necessary license. An owner may take out as many such licenses in respect of his land as he may require.

Right to licenses

Prospecting by others than owner,

45. No person other than the owner shall be allowed to prospect on private lands unless with the consent of such owner, or as hereinafter provided.

Suspension for one year of licenses without owner's consent.

46. No person shall be granted any claim license for the land of any owner within a period of twelve months after the coming into operation of this Act unless with the written consent of such owner lodged with the Deputy Commissioner of the District wherein such land is situated.

Prospecting claim licenses.

47. After the expiry of such term of twelve months (or prior thereto should the owner consent) it shall be lawful on application in accordance with the next Section, to issue prospecting claim licenses to any person, which shall entitle him to prospect any part of the land of any owner not then held under license by the owner or anyone else, and such license shall specify the land to be prospected and shall be issued subject to all provisions of this Act and the Regulations applicable to Crown Lands, subject nevertheless to the provisions made in respect of Private Lands: Provided that the number of prospecting claim licenses held at any one time by any one person as aforesaid shall not exceed four: Provided, further, that prospectors on private lands, other than the owner of such lands, shall not peg off more than two claims in the same line.

Limit of number held.

Subject always to the provisions of Section 48, this section shall not be deemed to prevent any person from holding more than four such claim licenses by transfer in manner provided in this Act, or by the renewal of transferred licenses, or to prevent any person who has duly transferred such licenses, or whose licenses have lapsed, from making application for the issue of other licenses in place thereof.

Limit not to apply to holdings by transfer etc.

48. Notwithstanding the provisions of the foregoing Section it shall not be lawful without the consent of the owner of the land to issue more than four prospecting claim licenses to any person other than the owner until the expiration of three months after the owner shall have received notice of the first issue of such licenses, which notice the Deputy Commissioner shall be obliged to give within one week from the date of the issue of the first license.

Suspension after issue of first four licenses.

During the term of such three months the owner shall have the exclusive right of taking out licenses, and may take out as many such licenses as he requires.

Exclusive rights of owner during suspension.

At the expiry of such three months the issue of licenses to others may be resumed, but without prejudice to the right of the owner to take out licenses in the same way as any other person may do.

Resumption of issue.

Before any license is issued for prospecting on private lands, notice shall be given by the Deputy Commissioner of Mines to the owner, who shall have the right to lay any objection to such licenses before the Deputy Commissioner of Mines. Any such objections shall be considered by the Deputy Commissioner of Mines, and his decision thereon shall be subject to appeal to the Minister, whose decision shall be final.

Notice to owner of application for license. Objections.

49. Every applicant for such prospecting claim license shall deposit with the Deputy Commissioner of Mines the sum of Two Pounds Ten Shillings for every prospecting claim license issued to him by way of security for the due and proper repair of any surface damage done by him on the land of any owner, subject to any agreement between such person and the owner for the deposit of a lesser sum or otherwise. The deposit thus made shall be returnable to the party paying the same, on satisfactory evidence being given to the Deputy Commissioner that such damage, if any, has been made good upon the abandonment of the claim, or the same shall be returnable upon the conversion of such prospecting claim into a mining claim, or may be returnable at any time providing the consent of the owner is first obtained. On failure of the condition of the deposit the same, or a part thereof in the discretion of the Deputy Commissioner, shall be forfeited and paid to the owner of the land.

Security to be deposited by intending prospector.

50. Any person entering the land of any owner after having obtained a prospecting claim license as herein pro-

Notice of entry

vided, shall, upon or prior to such entry, give written notice thereof to the owner in the form of Schedule D, and the service of such notice shall be as hereinafter provided.

If such notice be so given, such entry shall not be, or be deemed to be, an act of trespass on the part of such person, his servants or agent.

Notice to owner
of application
for registration.

51. Upon the application of any holder of a prospecting claim license as aforesaid for the registration of any prospecting claim under the provisions of this Act and the Regulations, the Deputy Commissioner of Mines receiving such application shall thereupon give notice thereof to the owner in form of Schedule E, and cause the same to be served as hereinafter provided.

Objections.

Any objection to such application must be lodged with the Deputy Commissioner in writing on or before the date mentioned in such notice, which shall not be less than fourteen days from the date thereof, or on or before such extended date as the Deputy Commissioner may, under special circumstances, permit. If there are no objections, the Deputy Commissioner shall register the prospecting claim.

Consideration of
application and
objections.

52. If any objections to the registration of the holding are received, the application and the objections, together with the Deputy Commissioner's report on the matter, shall thereupon be forwarded to the Minister through the Commissioner of Mines, who shall judge whether such objections are fair and reasonable and such as in his opinion should be considered, having regard to the agricultural, industrial, or other operations of the said owner; and the Minister shall, if he think necessary, ascertain and determine whether the locality of the land, the geological features thereof, or any other indications of fact, give reasonable belief that minerals are to be found on such land.

Adjudication

Upon compliance with the conditions of this Act, and the Regulations applicable thereto, the Minister shall grant such application, unless it appear that such application is contrary to this Act, but the grant shall be subject to such conditions, including the payment of compensation, if necessary, as he may think proper in the circumstances.

Service or
publication of
notices.

53. The notices to be given as aforesaid shall be served on the owner by registered letter, or personally, or left at his residence or place of business within the Colony of Natal, or in the event of the owner's absence from the Colony, then upon the agent, if any, of such owner, and if there be no such agent, or if he cannot be found, then by posting such notice on the land itself, and by publishing it once in the *Natal Government Gazette* and some other newspaper circulating in the district.

Limit of number
of assistants in
prospecting.

54. No person entering the land of any owner for the purpose of prospecting shall, except with the owner's consent,

be accompanied or assisted by more than two assistants for such prospecting work prior to the registration of any claim or claims beaconed off by him.

55. The rights conferred by any license under this Act shall not include the right of entering private property with draught cattle, entire horses or entire donkeys, and shall in no case confer any rights of grazing or to cut wood, except with the consent of the owner : Provided, however, that a prospector may within the area of his claim or claims collect dead wood for domestic purposes.

Restriction as to entry with cattle, etc.
Cutting wood.

56. Any person desiring to obtain a mining claim on the land of any owner must be the registered holder of a prospecting claim on such land, which he shall then be entitled to convert into a mining claim, subject, however, to all the provisions applicable to the application for, and registration of, mining claims on Crown Lands : Provided, however, that it shall not be necessary for an owner to first register a prospecting claim before applying for a mining claim on his own land.

Conditions for obtaining mining claims.

57. One-half of all moneys received by the Government from any person other than the owner, as license fees, royalties, or penalties (other than those imposed for contraventions of this Act and the Regulations), in respect of any licenses, claims, or other licensed holdings granted over private lands, shall be paid by the Government to the owner of such lands. The manner and time of payment of such moneys due to any owner under this section may be determined by the Regulations.

Owner entitled to half fees, royalties, etc.

58. The owner of private lands shall only be required to pay half the license fees and royalties in respect of any claims or other licensed holdings situated on his own land and held by him, under the provisions of this Act.

Owner liable to pay only half of fees and royalties.

59. Anything to the contrary herein contained notwithstanding, no person other than the owner shall be allowed to prospect or mine on the land of such owner, or to peg claims for prospecting or mining therein for coal, limestone, stratified ironstone, slate, soapstone, and such other minerals as may be included by Government Notice by order of the Governor in Council, at any time except with the written consent of the owner : Provided, however, that this section shall only apply and extend to such lands as are already alienated by the Crown, or are in process of alienation at the date of the coming into operation of this Act, and shall not apply to any lands alienated after that date unless so expressed in the deed of title of any such land.

Sole right of owner to prospect or mine for coal, etc.

60. Nothing in the preceding section or in this Act contained relating to private lands shall in any way affect or lessen the rights of the Crown, whether declared in this Act or in any document of title, or otherwise.

Saving as to lands hereafter alienated by Crown.

Saving of rights of Crown.

Part V.**LANDS HELD UNDER PUBLIC TRUSTS.**

Permission to
prospect on
Trust lands.

61. It shall be lawful for the Natal Native Trust and for the trustees appointed, or to be appointed, hereafter by Her Majesty the Queen, or by the Colonial Government, who may at any time hold any lands in this Colony in trust for Natives, or the trustees of Mission reserve lands, or the trustees of any public trust, to grant from time to time or refuse to grant to any person applying for the same, permission to enter and prospect for minerals in and under any portion of the said Trust Lands.

Application of
provisions as to
Crown Lands.

62. The provisions of this Act and of the Regulations framed thereunder in respect of Crown Lands, save as is otherwise provided, shall be applicable to any portion or portions of the Trust Lands aforesaid on which permission to prospect may have been granted.

Trust entitled
to half fees,
royalties, etc.

63. One-half of the amount received by the Government on account of license fees, royalties or penalties (other than those imposed for contraventions of this Act and the Regulations), in respect of any licenses, claims, or other licensed holdings or rights granted on such Trust Lands, shall be paid to the Trustees thereof, at the times and in the manner prescribed by the Regulations.

Permit to
prospect.

64. Any person desiring to prospect upon any such Trust Lands shall first obtain a permit in form of Schedule F from the secretary or other proper officer, and take out the prospecting claim licenses as therein permitted, and such person may then enter upon such Trust Lands for the purpose of general prospecting and beaconing off a prospecting claim, or claims, according to the number of licenses held by him.

Applications for
prospecting
claims, water
right, etc.

65. Upon receipt of an application for registration of a prospecting claim, water right, machine stand, or residence site, the Deputy Commissioner receiving the same shall forward the application to the Commissioner of Mines, who shall give notice to the secretary or other proper officer of the receipt of such application. If no objections are made by the Trust within a period fixed in such notice, which must not be less than fourteen days from the date thereof, the Commissioner of Mines shall direct the Deputy Commissioner to register the claim or other licensed holding. If any objections are made by the Trust within the time specified, the Commissioner of Mines shall instruct the Deputy Commissioner to register the claim or other licensed holding, subject to such reservations and conditions as may meet the objection of the Trust.

Objections.

Conditions for
obtaining
Mining Claims.

66. Any person desiring to obtain a mining claim, or claims, on any such Trust Lands as aforesaid, must be the registered holder of a prospecting claim, or claims, which he shall then be at liberty to convert into and hold as a mining

claim, or claims, subject to all the provisions applicable to the application for registration and granting of mining claims on Crown Lands.

Part VI.

FOREST LANDS.

67. The provisions of this Act in respect to Crown Lands, save as is otherwise provided, shall apply to all Forest Lands unalienated by the Crown. Application of provisions as to Crown Lands.

68. The holder of a claim or other licensed holding registered under this Act situated on unalienated forest lands shall be entitled to exercise the following rights, that is to say :— Rights of holder of claim,

(a) To cut and clear away such brushwood and undergrowth as may be necessary to enable him to conduct and carry out all the operations necessary in connection with such claim or holding : Provided that such holder shall conform to all rules made by order of Government and notified in the *Natal Government Gazette* relating to the cutting and clearing of brushwood and undergrowth, and to the preservation of young trees.

(b) To cut such timber, in order to clear such space as may be necessary for the erection of any buildings, plant and works, as well as the space required for the development, working and use of such licensed holding, provided that the written permission of the Commissioner of Mines be first had and obtained, and that such amount be first deposited as the Surveyor-General or other officer in charge of unalienated forest lands may deem necessary to cover the amount of damage likely to result from the cutting of such timber.

69. Application for permission to cut timber shall be made through the Deputy Commissioner of Mines, who shall, after consulting with the District Forest Officer (if any), forward such application, with his report thereon, to the Commissioner of Mines. Cutting timber.

Part VII.

WATER RIGHTS.

70. Water Rights shall only be granted to the registered holder of a prospecting or mining claim, or machine stand. Condition for obtaining water right.

71. The license fee for each Water Right shall be Ten Shillings per month, payable and renewable as in the case of other licenses. License fee.

Powers under
water right.

72. The holder of a water right shall have the right to collect, store, divert, convey, and use for mining purposes and the treatment of minerals, water from any source not exempted as hereinafter provided at the rate, under the conditions, and in the manner provided under this Act and the Regulations.

Exclusion of
proprietary
right in water.

73. The registered holder of any prospecting or mining claim or machine stand, on or through which any water flows in any river or watercourse, shall have no proprietary right in such water; he shall only have the right to use the same for mining purposes or the treatment of minerals in accordance with the provisions of this Act and the Regulations.

Lapse or trans-
fer of right.

74. Should the right to any claim or machine stand in connection with which a water right has been granted lapse from any cause, then the water rights so granted shall *ipso facto* also lapse. If such claim or machine stand be transferred, the water right connected therewith shall *ipso facto* also lapse, unless it be also transferred at the same time and to the same person as such claim or machine stand.

Registration.

75. Every water right shall be registered at the Mines Office of the district in which the claim or machine stand with which it is connected is registered, in a book to be kept for the purpose, and a fee of Ten Shillings shall be paid for such registration and a certificate of title to the said water right in the form of Schedule G, with surveyor's diagram attached thereto, shall thereupon be issued to the holder.

Lapse of right if
not properly
used.

76. Any water right may, in the discretion of the Commissioner of Mines, be declared to have lapsed if, for the period of one year, proper use is not being made of the water right.

Dams, etc.

77. A portion of ground may, in the discretion of the Commissioner of Mines, be granted for the purpose of being used as a reservoir, dam, or pumping station upon the payment of the fee, and subject to the conditions provided for in the Regulations, compensation therefor being determinable and payable in manner provided by the Lands Clauses Consolidation Law, 1872.

Publication of
applications.

78. The Regulations to be made as hereinafter provided in regard to water rights shall, amongst other things, provide for full publicity being given to applications for water rights, and for the hearing and consideration of objections by all persons interested in the use of the water sought to be taken or diverted.

Limit of divi-
sion of water.

79. In all running rivers and watercourses from which water is diverted for mining purposes, there shall be left running sufficient water for general use, and sufficient water shall always be reserved for the use of owners and occupiers of land through which the rivers or watercourses run, and of their families and stock and cattle, and for the watering of all such gardens and arable lands under cultivation or the

driving of any mill or machinery in existence at the date of any application for a water right on such river or water-course. The quantity of water required for such purposes shall be estimated by some person, other than the Commissioner or Deputy Commissioner of Mines, to be nominated by the Minister for the purpose, at the expense (if any) of the applicant for such water right, and recorded in the Office of the Commissioner of Mines : Provided, however, that any objections of the aforesaid owners and occupiers shall be considered before any decision is arrived at under this section.

80. The distribution of the water supply for mining purposes in any district shall be left to the discretion of the Commissioner of Mines, who shall regulate the same in such manner as he may consider fair and reasonable, having regard to the rights of private owners and as may be advisable in the public interests.

Distribution of water supply.

Subject to the foregoing, and as far as may be practicable, the following order of priority shall be observed in all questions relating to water rights :—

Order of priority in questions as to water rights

1. Water for domestic use.
2. Water for the treatment and washing of minerals already mined.
3. Water for power purposes.
4. Water for ground sluicing or hydraulicing.

Part VIII.

MACHINE STANDS.

81. Any person desirous of erecting machinery or plant for the treatment of minerals in connection with mining operations (or for such other purpose in connection with mining operations as the Commissioner of Mines may permit), or for obtaining a site for the deposit of tailings or refuse, may be granted a site for such purpose, to be called a machine stand, of the size and upon the conditions provided for in this Act and the Regulations. He shall beacon off the site applied for, and lodge his application and diagrams in such manner as may be provided under the Regulations : Provided, however, that any such machinery or plant may be erected, or tailings deposited on any registered mining claim by the holder thereof, without its being necessary for such holder to apply for a machine-stand : Provided, further, that in the case of private lands compensation shall be determined and paid to the owner of any land taken for the purposes of this section, in accordance with the provisions of the Lands Clauses Consolidation Law 1872

Conditions of grant of machine stands.

Extent of area ;
License fee.

82. The area granted as a machine stand shall not exceed five acres, for which a license fee of Ten Shillings per month shall be payable and renewable, as in the case of other license fees.

Registration.

83. Every machine stand shall be registered at the Mines Office of the District in which it is situated, in a book to be kept for the purpose, and a fee of One Pound shall be paid for such registration, and a certificate of title to the said machine stand in the form of Schedule H, with surveyor's diagram attached thereto, shall thereupon be issued to the holder, and signed by the Commissioner of Mines.

Limitation of
rights conveyed
by machine
stand.

84. A machine stand shall only convey a right to the surface of the ground so held, and it shall be lawful for the Commissioner of Mines to grant to any person otherwise duly licensed a license to mine under such stand: Provided that such person shall be liable for any damage caused at the surface which is due to mining underground: Provided, further, that the owner of such stand shall receive notice of any application for such license, and shall himself have the prior right to such license if he applies for the same within one month after the receipt of the aforesaid notice.

Part IX.

RESIDENTIAL SITES.

Grant of residential site.

85. The registered holder of a prospecting and mining claim or machine stand may be granted a Residential Site on Crown Lands, if there be any such, in proximity to his holding, in accordance with the Regulations, provided the area of such residential site shall not exceed one acre in extent.

Limitation of
rights conveyed.

36. A residential site shall only convey a right to the surface of the ground so held, and shall not debar any person from applying for and obtaining the right to mine under such site, provided that such person shall be liable for any damage caused at the surface which is due to mining underground.

Part X.

TRANSFERS.

Transfer of
holding.

87. The holder of a licensed holding registered under this Act may cede and transfer the same, and the right, title, and interest therein, by cession duly executed in the form of Schedule L, or other legal document, but no cession of any such registered holding shall be recognised by the Commissioner of Mines unless and until it has been duly filed in the Mines office of the district in which such licensed holding is situate, and registered in a book to be kept for

the purpose : Provided that the cession of any licensed holding may carry with it the transfer of all the licenses then current relating to the same.

88. Upon the registration of any such cession as aforesaid, the Deputy Commissioner of Mines shall endorse such cession upon the certificate of title or of registration of such licensed holding in the form of Schedule J, and further shall endorse the said transfer of the said licenses in form of Schedule K.

Endorsement of cession.

89. The fee for the registration of every document of cession as aforesaid shall be the sum of One Pound whether the same includes the cession of one or more licensed holdings, and the fee for the endorsement on each certificate of title or of registration shall be the sum of Two Shillings and Sixpence for every such endorsement.

Fee for registration of cession.

90. Whenever any land owned by any person is sold, and the price paid or to be paid for such land includes a value put upon any gold, silver, or precious stones supposed to be in or upon the said land, no transfer duty shall be charged or exacted by the Registrar of Deeds or other receiver of transfer duty in respect of the price or value of such gold, silver, or precious stones, anything contained in Laws No. 5, 1860, and No. 19, 1883, to the contrary notwithstanding.

Transfer duty on land containing gold, silver, or precious stones.

91. Such exemption from the payment of transfer duty shall be claimable only in respect of such portion of the purchase price as represents the estimated value put upon the gold, silver, or precious stones by the declaration on oath of a sworn appraiser appointed by the Registrar of Deeds for the purpose of making such valuation : Provided that in every case transfer duty shall be payable on the value of the land, estimated at an amount of not less than the upset price per acre of Crown Lands at the date when the sale took place.

Limit of exemption.

Minimum of transfer duty.

Part XI.

MISCELLANEOUS PROVISIONS.

92. The following lands are exempted from the operation of this Act, except in so far as is otherwise specially provided :—

Lands exempted from operation of Act.

- (a) All lands upon which any public squares, streets, roads, railways, burial grounds, graves, or gardens exist, and all other lands which shall have been, or hereafter shall be, reserved or dedicated for any public use or purpose : Provided that it shall be lawful for the Governor in Council to declare the ground underlying such lands to be under the operation of this Act, under such circumstances,

Lands dedicated to public purposes.

for such purposes, and to such extent, and subject to such conditions, limitations, and restrictions as he may consider expedient, and as shall be consistent with the proper use of the overlying land.

Urban lands

- (b) Lands within any borough or township established under Laws 19, 1872, or 11, 1881, respectively, or any like Act; lands within any township established by Proclamation in Zululand before the annexation of that territory to Natal; and the lands of any town or village, which may by Proclamation be brought within the operation of this subsection: Provided that any Town Council or Local Board or other town or village authority, which may hereafter be lawfully constituted, may with the consent of the Governor in Council, and subject to such conditions as he may impose, by public competition grant the privilege of digging and working any mines or minerals on any public lands of the borough, township, town, or village.

Homestead lands, kraal lands, gardens, etc.

- (c) All land within a distance of 150 yards from any building, including native kraals, which building is in the opinion of the Deputy Commissioner in actual use or occupation, as also all water furrows, fenced gardens, orchards, or cultivated lands, or plantations: Provided, however, that the owner of any such land so exempted as aforesaid may in consideration of compensation waive all claim to such exemption.

Mission buildings and plantations.

- (d) Mission buildings and any plantations or cultivated lands adjacent thereto.

Exemption forfeited by user.

93. If any of the lands mentioned in sub-sections (b), (c), and (d), shall be used by the owner, or as otherwise above provided, for the purpose of mining, they shall to that extent be excluded from the exemption given by this section.

Disabilities of persons not of European birth or descent

94. No person not being of European birth or descent shall be entitled to hold any license, or to peg out or to be engaged in work on any licensed holding, otherwise than in the service and under the supervision of a duly licensed person, except as is otherwise in this Act provided.

Consequences of default in payment of fees, etc.

95. The Commissioner of Mines or any Deputy Commissioner may in his discretion decline to issue or to renew any claim license or other license, or to register any claim or other licensed holding for which any person may apply if any fines, fees, or other payments due by him to the Govern-

ment under this Act or the Regulations are in arrear and unpaid at the date of such application.

96. Any person who shall peg a prospecting or mining claim without a license, except as provided for in Section 10, or who may mine or in any other way obtain, win, or remove any minerals from any land except under the provisions of this Act, shall be liable to a fine of not exceeding Fifty Pounds for each offence, or on failure to pay such fine, to imprisonment with or without hard labour for any period not exceeding one year.

Offence of
pegging, etc.,
without license.

97. If at any time it shall come to the knowledge of the Commissioner of Mines (a) that there exist, or are likely to exist, alluvial minerals or precious stones on any claim already registered as a Mineral Claim, or (b) that there exist, or are likely to exist, on any registered Mineral Claim, minerals such as would require for their prospecting or working that a Metal Claim or Claims should be pegged under the provisions of this Act, then in any such case it shall be lawful for the Commissioner of Mines in his discretion, if he considers it in the public interest so to do, to grant permission to any licensed person or persons to peg one or more Alluvial or Metal Claims, as the case may be, upon such Mineral Claims, and cause the same to be registered upon payment of the fees and in compliance with the conditions thereto applying : Provided always that before granting or refusing such permission, the Commissioner of Mines shall ascertain to what extent, if any, the *bona fide* operations of the original claimholder are likely to be interfered with, and moreover may, upon such registration, impose such conditions for the protection of the original claimholder, or otherwise, as he may think necessary.

Pegging off
claim of a higher
order on hold-
ings of a lower
order.

98. All rights granted under this Act shall be subject to such reservations, consistent with the general objects of this Act, as the Minister may see fit to impose in the public interests, or for the protection of any other existing rights in relation to the land over which such rights are granted, and such reservations, if any, shall be inserted in the certificate of title or of registration or other document of title issued in respect of the rights so granted.

Reservations in
the public
interest.

99. An applicant for any licensed holding may, with the approval of the Commissioner of Mines and subject to any regulations affecting the same, transfer his interest in his application to any person. In the event of the death of an applicant for a licensed holding the same may be granted in the name of his lawful representative.

Transfer of
applications.

Death of
applicant

100. Every officer appointed under this Act for the issue of licenses or the granting and registering of claims or other rights, shall keep a proper record and register thereof, which shall be open to the inspection of the public.

Records and
registers.

For each inspection by any person a fee of One Shilling shall be charged. Such officer shall at the end of every month forward to the Commissioner of Mines a true extract of all such records and registers representing all licenses issued and claims or other rights granted, registered, or otherwise during such month.

Beaconing off
excessive areas

101. Any person beaconing off a larger claim than he is entitled to shall be liable to have the surplus ground cut off on any or all sides, at the option of the Deputy Commissioner of Mines, and the pegs adjusted accordingly.

Other remedies
for pegging off
excessive areas

102. It shall also be competent for the Commissioner of Mines in his discretion to demand as fine from the holder an amount not exceeding double claim license for the period during which the claim has been registered over and above the claim license paid; and in the event of the excess ground pegged by any person as aforesaid, being equal to or exceeding in area a full claim of the same class as that pegged, the Commissioner of Mines shall have power to abandon the whole claim, including the ground wrongfully so pegged, in addition to imposing the said fine. Upon default of payment of the said fine in any case within fourteen days of its demand, the whole claim, including the excess, may be abandoned.

Beaconing off
claims on excess
area.

103. Any person desiring to beacon off a claim on the ground so pegged in excess may apply to the Deputy Commissioner of Mines, who shall note his application, and such applicant shall have the prior right to beacon off such excess ground against any other person upon its being cut off or abandoned under the preceding section.

Placing pegs on
another's
holding.

104. Any person who, in beaconing off a claim, shall place his pegs on the claim or other licensed holding of another, shall upon notice from the Deputy Commissioner immediately remove and adjust the pegs so wrongfully placed, and it shall be competent for the Deputy Commissioner, should he consider that such wrongful pegging has not occurred through inadvertence, to report the case to the Commissioner of Mines, who may impose a fine on such offender not exceeding the sum of Five Pounds for each peg so wrongfully placed, and in default of the payment of such fine, or of compliance with the said notice, the Commissioner of Mines may instruct the Deputy Commissioner to declare such claim to be forfeited, and the same shall be abandoned accordingly.

Responsibility
for beacons.

105. Every claimholder shall be responsible for the beacons of his claim being continuously maintained in accordance with the Regulations, and if at any time the Deputy Commissioner shall find any claim or amalgamated block of claims not properly beaconed in accordance with

the Regulations, he shall report the matter to the Commissioner of Mines, who shall have the power to inflict a fine of not exceeding One Pound per claim for each offence.

106. Any person guilty of illegally altering, shifting, or removing the beacons or pegs of any prospecting or mining claim or other licensed holding, or in connection with any lawful application for a licensed holding, shall be punished by a penalty not exceeding One Hundred Pounds Sterling, and in default of payment shall be liable to imprisonment with or without hard labour for a period not exceeding three years.

Illegal shifting
or removal of
pegs and
beacons.

107. Any licensed holder shall, save as is otherwise provided in regard to Private Lands, have such reasonable rights of grazing for horses, cattle, and live stock, and the use of such wood and water as the Deputy Commissioner of Mines of the District in his discretion may see fit to grant.

Grazing rights.

Wood and water

108. All prospecting or mining claims or other license holdings granted under this Act shall be subject to the following reservations, without any compensation being claimable in respect thereof, save so far as injury may be caused to buildings or works : —

Reservations in
favour of
Government.

- (a) The right of the Government to make, construct and use roads and railways, dams and reservoirs, and to have any telegraphs, telephones, pipes, conduits, watercourses, or any other appliances for the conveyance of water, made over or under or across any part of the land ; also to lay pipes and erect railway, telegraph, and telephone stations, and all works of a like character with the foregoing, for the public use, by order of the Minister over any part of the land, with the right to any person duly authorised by the Government to enter upon such land for the purpose of constructing, repairing, inspecting, and using and maintaining any such roads, railways, dams, reservoirs, telegraphs, telephones, pipes, conduits and watercourses, railway, telephone, and telegraph stations, and all works of a like character with the foregoing, without hindrance by the licensed holders.
- (b) The right of the Government to prospect and bore for the purposes of geological survey.

Servitudes of
roads, etc.

Geological
survey.

109. It shall be the duty of every claimholder, before taking any steps to turn to profitable account any discovery or find of any mineral which may have been made on his claim, to at once make a sworn declaration in form of Schedule L of the finding of the same, and to lodge such

Declaration of
find.

declaration, accompanied by specimens of the mineral declared, with the Deputy Commissioner of Mines, and any person who shall fail so to do shall be liable upon conviction to pay a fine not exceeding Fifty Pounds Sterling, and in default of payment to be imprisoned, with or without hard labour, for any period not exceeding six months.

Fraudulent
declarations.

110. Any person who shall make such declaration whilst prospecting or otherwise knowing that the mineral declared to have been found was, by himself or some other person, placed or deposited in or on the spot, or in the soil or material dug out or removed from the spot in which such declarant was prospecting, or in which the discovery of such mineral is declared as aforesaid to have been made, and was not naturally situated in or on the spot, or in the soil or material in which they were declared to have been found or discovered, or knowing that the said mineral was not found or discovered in or on the place where it was declared to have been found or discovered, shall, upon conviction, be punished by imprisonment with hard labour for a term not exceeding five years.

Salting "land

111. Any person who shall wilfully place or deposit, or be accessory to the wilfully placing or depositing of any mineral in any spot or place for the purpose of inducing any person to make such solemn declaration as aforesaid, or for the purpose of misleading the Government or the public or any person as to the payable nature of a spot or place where minerals have been declared to have been found, shall be guilty of contravening the provisions of this Act, and shall, upon conviction thereof, be punished by imprisonment with hard labour for a term not exceeding three years.

Onus of proof
in case of
"salting."

112. In any proceedings taken for the contravention of the last preceding section, if the accused person shall be proved to have placed or deposited, or to have been accessory to the placing or depositing of any mineral in any place where the finding thereof would be likely to lead any person to make a declaration of the finding of the same, or would tend to mislead the Government or any person, he shall be taken to have so deposited or placed such mineral in contravention of the last preceding section, unless he shall satisfy the Court to the contrary.

Returns of
operations.

113. The owner of any property, or holder of any claim or other licensed holding where prospecting, mining, or milling operations, or any of them, or other operations of what nature soever in connection with the treatment of minerals are being carried on, shall furnish, or cause to be furnished, to the Deputy Commissioner of Mines, a true and correct return of such operations, at such times and in such form as may be provided for in the Regulations.

Sworn declara-
tions.

114. The Commissioner of Mines shall also have the power to demand that a sworn declaration be made by

the owner of any mine, or by the holder of any claim or other licensed holding, or the person in charge thereof, concerning all such information as he may deem necessary in the interests of the Government, or otherwise to ascertain the correctness or otherwise of any return, accounts, and statements sent in to him, with full power to examine into and have access to all documents, books, and papers which he may consider it necessary and requisite to examine for that purpose.

115. The Commissioner of Mines or any person deputed by him or appointed for that purpose may, upon giving not less than fourteen days' notice to the registered proprietor, if resident within the Colony, or the occupier, if any, enter upon any lands for the purpose of prospecting and of probing and boring for the discovery of coal, and may do all acts necessary for the purposes of such prospecting, probing, or boring for the discovery of coal as aforesaid : Provided that any such notice shall not hold good for more than six months, and provided that compensation shall be made to the owner or occupier of any such lands for any damage thereby occasioned : Provided, further, that the rights conferred by this section shall not include the right of entry upon such lands with draught cattle or entire horses or entire donkeys.

Search by Commissioner of Mines for coal.

The amount of such compensation shall be decided by the Magistrate of the Division or District, after due notice by the claimant to the Commissioner of Mines or his Deputy or other person, as aforesaid.

The Magistrate may after such enquiry determine the amount of compensation to be paid in respect of any such damage, and may award the amount of costs incidental to such enquiry, and determine by whom such costs shall be paid, and any sums which may be so awarded against the Colonial Government shall be a charge upon and be defrayed out of the general revenue.

116. The Commissioner of Mines or other person deputed by him shall be empowered to enter upon all lands within the Colony in which he has any reason to believe that gold or precious stones or other minerals may be found, or may be then prospected for, or upon which prospecting or mining is then being carried on, and to make any inspections of the land and of the work there being carried on, and to take such samples from such land as he may deem fit.

Commissioner of Mines may take samples of gold, etc.

117. The Minister shall have the power on the application of any licensed claimholder or any person engaged in mining :—

Special powers of Minister for

- (a) To enter upon and lay out a line of road upon Crown lands or upon the lands of any person, which road may be made and maintained and

Roads, railways, etc.

used by such persons upon such line and in such direction and with such fencing and for such period as the Minister may determine. A railway or tramway may be laid down and constructed (or authorised to be laid down and constructed) upon any such line of road, and be worked with locomotive engines or other motive power, or by agreement with the Natal Government Railways ; and in the latter case the railway shall for the purposes of this Act be deemed to be part of the general railway system of the Colony.

Mining
operations.

(b) To enter upon Crown lands or the lands owned by any person, and to authorise the construction thereon and therein of pits, shafts, levels, drives, tunnels, excavations, and to allow all and every kind of mining operation to be carried on.

Water.

(c) To enter upon Crown lands or the lands owned by any person, and to authorise the cutting, constructing, and using of drains thereon, and of water races, dams, and reservoirs, and the taking or diverting water from any spring, pool, or stream situate in or flowing through such lands, and in order to use such water for mining purposes.

Servitudes.

(d) To exercise and authorise the exercise of any rights of the nature of servitudes in connection with mining operations upon or over Crown lands and lands owned or occupied by any person whomsoever.

Deputy.

The Minister may appoint a deputy for the purpose of entry and for carrying out any of the works mentioned in this section.

Cost.

All expenses of making and maintaining any such railroad or road, of constructing any pit, shaft, level, drive, excavation, or other kind of mining operation, of constructing water races, dams, and reservoirs, and of exercising any rights of the nature of servitudes in connection with mining operations, shall in each case be borne by the applicant.

Compensation.

If anything done or proposed to be done under the aforesaid powers shall be calculated to be, or shall be, prejudicial to the owner or occupier of any land, such owner or occupier shall be entitled to full compensation for any loss thereby sustained, or to be sustained, by him in respect of such land, from the person or persons applying to the Commissioner of Mines and doing, or proposing to do, such act ; such compensation shall be determined in the manner provided by the Lands Clauses Consolidation Law, 1872.

118. The Minister shall only exercise the powers conferred upon him by the foregoing section in such cases as he may consider it to be of advantage to the public interest that facilities and servitudes as aforesaid should be allowed to any such licensed claimholder or persons so engaged in mining.

Powers to be used for public advantage.

119. Any person who may relinquish his claim, shall be required to fill up to the satisfaction of the Commissioner or Deputy Commissioner of Mines, all shafts, pits, holes, and excavations in a manner so as to prevent persons or cattle inadvertently entering the same. It shall be competent for the Deputy Commissioner to refuse to register a new claim in the name of such person until the provisions of this section have been complied with.

Filling up shafts etc.

120. In the event of the decease of any person possessed of any licensed holding or rights granted under this Act, the same shall upon application of his lawful representative, be registered in the name of such representative acting in such capacity: Provided such application be made within three months of the appointment of such representative, and upon payment of all fees and other moneys due at that date in respect of such licensed holding or rights, and in compliance with the provisions of this Act.

Death of licensee holder.

121. Any servant working upon a claim or other holding, whose wages are in arrear, shall have a lien upon the claim or other licensed holding, and upon any buildings, plant, and the like thereon, to the extent of the wages due to him, but not exceeding three months' wages. Such lien may be registered in the Mines Office of the District, and thereupon the servant shall be deemed to be in full possession of the said claim or other licensed holding until such wages are paid and the lien fully satisfied.

Lien for wages.

122. No sale or transfer or other disposal of any claim or other licensed holding, and no other encumbrance or lien of any kind shall take precedence of the lien for wages defined by the preceding section; and such lien shall be preferred to any claim of the Government and shall be exercised in such manner as may be determined by the Regulations.

Precedence of lien.

123. The buildings, machinery, tools, materials, mining plant, and the like upon any claim or licensed holding, sold for default of payment of any moneys due to the Government, or that may have been abandoned under the provisions of this Act, shall be removed within six months of such abandonment, subject to any authorised lien thereon, and subject to the payment of all fees, fines, and other moneys that may be due to the Government in respect of such claim: Provided however that there shall not be removed or destroyed, any timber used in and supporting the shafts, drives, galleries, and adits in the mine, or anything removed

Removal of buildings and plant from claim sold or abandoned.

from such claim that would render unsafe or dangerous any workings thereon.

Removal by
order of Com-
missioner of
Mines.

124. If the buildings, machinery, tools, materials, mining plant, and the like, be not removed within six months as aforesaid, the Commissioner of Mines may order the removal or sale thereof, subject to the rights of any creditors: Provided, that no such buildings, machinery, and others shall be removed unless and until the provisions of Section 119 shall have been complied with.

Plans of mining
centres.

125. The Commissioner of Mines may, whenever one hundred or more Prospecting Claims, or fifty or more Mining Claims, are pegged in close proximity and duly registered, cause a plan or map of the same, and of the immediate neighbourhood, to be prepared at the expense of the Government. Such plan or map shall include all licensed holdings and rights granted in connection with such claims and otherwise as may be practicable, but shall be for purposes of information only, and shall not be regarded as evidence of any particulars appearing therein.

Mineral oils.

126. In the event of the discovery of mineral oil or oils in this Colony, the Governor in Council shall have the power to make, promulgate and enforce such regulations for the proper working of the wells as from time to time shall be deemed necessary.

Protection
areas, reward
claims, etc.

127. It shall be lawful for the Governor in Council from time to time to grant Protection Areas, Reward Claims and the like under such circumstances and subject to such conditions as may be deemed necessary.

Business and
garden stands.

128. It shall be lawful for the Governor in Council to grant on Crown Lands to any person of European birth or descent, business and garden stands subject to regulations made in that behalf from time to time.

Offence of pay-
ing in native
gold or stones.

129. Any person paying his servant in native gold or precious stones shall be guilty of an offence, and on conviction thereof shall be liable to a fine not exceeding Five Hundred Pounds Sterling, and in default of payment to imprisonment with or without hard labour, for a term not exceeding three years.

Offence of
trading with
other than
Europeans in
native gold or
stones.

130. Any person purchasing, trading, or receiving native gold or precious stones from anyone except a person of European birth or descent within the limits of the Colony shall be guilty of an offence, and shall be liable, on conviction, to a fine not exceeding One Thousand Pounds Sterling, and in default of payment to imprisonment, with hard labour, for a period not exceeding five years.

Offence of deal-
ing in gold, etc.,
by others than
Europeans.

131. Save as is otherwise provided in this Act, anyone, except a person of European birth or descent, selling, bartering, or receiving, or disposing of native gold, shall be guilty of an offence, and shall be punished by imprisonment with hard labour for a term not exceeding three years.

132. It shall not be lawful to sell or barter native gold or precious stones to any person or persons other than bankers, or persons licensed as hereinafter provided, to trade in gold and precious stones. Bankers and licensed traders

133. Nothing in this Act contained shall be held to prevent the sale by any person not being of European birth or descent, and who may be entitled to the benefits of this Act in terms of Section 43 hereof of any minerals, metals, or precious stones, to any licensed dealer, or to the purchase by any licensed dealer of any minerals, metals, or precious stones from any such person. Saving in favour of owners not being Europeans.

134. It shall not be lawful for any person other than a banker, licensed digger, claimholder, or licensed dealer to be in possession of native gold other than in such small quantities as may be reasonably held for scientific purposes, or as mineral specimens. Unlawful possession of native gold.

135. Any person found unlawfully in possession of native gold or precious stones shall be liable to summary arrest by any police officer or any licensed claimholder, and shall, on conviction before a Magistrate, be liable to a fine not exceeding Two Hundred and Fifty Pounds Sterling, and in default of payment, to imprisonment with hard labour for a period not exceeding eighteen months. Arrest and punishment for unlawful possession.

136. Licenses to be in possession of, and deal in, native gold and precious stones, in the form of Schedule M, shall be issued by the Commissioner of Mines, who shall have absolute discretion to grant or refuse any such license and every such license shall expire on the 31st December next following the day of its issue. Licenses to deal in native gold or stones.

137. Every such license shall contain a condition of forfeiture for any breach of the Law and Regulations relative to the possession of and dealing with native gold and precious stones. Forfeiture of license.

138. Each such license shall bear revenue or postage stamps of the value of Five Pounds Sterling : Provided that the stamps upon any license taken out on or after the 1st day of July in any year shall be Two Pounds Ten Shillings for the remainder of such year. Stamps on licenses.

139 Bankers and persons licensed to deal in native gold shall keep a faithful record of their purchases, setting forth the name of the seller, quantity bought, and date of transaction, and shall forward to the Commissioner of Mines a copy of such record on the 30th June and 31st December of each year. Any such person failing to comply with the provisions of this section shall be guilty of an offence. Records by bankers and licensed dealers.

Part XII. REGULATIONS.

140. The Governor in Council may from time to time by Proclamation make, alter, and revoke regulations for carrying into effect the provisions of this Act. Regulations.

141. Such regulations may amongst other things provide for any of the following purposes :—

- (a) For prescribing the mode, times, and places for the issue of all licenses and notices under this Act, and for dealing with objections to the issue of such licenses.
- (b) For prescribing the mode and conditions of working claims and amalgamated claims, and for the exemption from time to time from labour conditions.
- (c) For providing for the mode and conditions of amalgamation of claims and water rights.
- (d) For prescribing the form and position of claims.
- (e) For prescribing the manner in which any race, lam, or reservoir, or any water diverted, or any machine, business, residence or garden site shall be held, occupied, used, worked, or enjoyed.
- (f) For prescribing the manner in which all claims, water rights, and other licensed holdings shall be beacons off and registered.
- (g) For the management and administration of the affairs of mining centres or districts under this Act.
- (h) For regulating the construction, maintenance, and use of roads, railways, and tramways, electrical conductors, water races, dams, reservoirs, and the like.
- (i) For prescribing the mode in which all surveys, diagrams, and plans shall be prepared, and the amount of fees payable, and the manner of payment of the same.
- (j) For prescribing the mode in and the terms and conditions subject to which a stream or river or any portion of a stream or river, may be diverted from its natural course for mining purposes.
- (k) For enforcing and regulating the drainage of claims and other licensed holdings, and apportioning the cost of same as between the holders of adjoining claims affected thereby.
- (l) For preventing the defiling and wasting of water used for domestic purposes, and for the setting apart of springs, streams, and other depositories of water, or any portion thereof, for domestic purposes.

- (m) For prescribing the character and structure of the buildings to be provided for mine employés, and for compelling the erection and proper maintenance of sufficient, suitable, and healthy dwellings for the different classes of employés.
- (n) For ensuring the supply to employés of proper, sufficient, and wholesome food and water, and of proper latrine accommodation.
- (o) For ensuring proper medical attendance and medicines for Native and Indian employés, and proper treatment of the sick.
- (p) For ensuring the due protection of the interests of employés, for regulating the hours of labour and the age below which persons may not be employed in the several classes of labour, and for providing out of the earnings of employés, or otherwise, for the creating of insurance and other funds for the benefit and relief of employés in cases of sickness, accident, and the like : Provided that no person shall be required against his will to participate in or contribute to any such fund.
- (q) For regulating and maintaining the sanitary condition, drainage, and ventilation of all mines and mine premises and buildings in connection with any mining operations and the like.
- (r) For the inspection of all quarters occupied or used by employés, and of the premises generally.
- (s) For regulating the filling up of shafts, pits, holes, and excavations, and fencing the same.
- (t) For fencing and protecting any mines, shafts, reservoirs, or other works.
- (u) For establishing registers for registering all rights, titles, and interests held under or created by this Act, and all assignments and transfers thereof, and all encumbrances and liens thereon and discharges thereof.
- (v) For regulating the granting, beaconing off, and registration of protection areas, reward claims, and the like, and for the granting of business or garden stands, and for prescribing the area, form, and position of the same, and the terms and conditions under which the same may be obtained, held, and enjoyed.
- (w) For fixing the amount and manner of payment of license and other fees payable under this

Act and the Regulations not otherwise provided for.

- (x) The conditions upon which the owner of any property may acquire any works that may have been abandoned.
- (y) And generally for facilitating and more effectually carrying into execution the objects of this Act, especially in cases in which no provision, or no sufficient provision, is made for the same.

Punishment for contraventions.

142. Any person contravening any Regulation made under the foregoing section may be punished by a fine not exceeding Twenty-five Pounds Sterling, or by imprisonment with or without hard labour for a period not exceeding three months, or by both such fine and such imprisonment, and also by imprisonment in default of the payment of any fine imposed.

Regulations for safe mining, etc

143. The Governor in Council may also from time to time, by Proclamation, make, alter, and revoke, Regulations for any of the following purposes : -

- (a) For the safe and proper working, regulation and conduct of all mines and mining operations.
- (b) For prescribing and ensuring the due observance of all precautions and rules for the protection of life and limb, and prevention of accidents, the procedure in case of accidents, the holding of departmental or other enquiries in cases of accident, and the mode of taking evidence thereon, and generally for the preservation of public health and safety.
- (c) For regulating the constitution, appointment, powers, duties, and the like, of all Boards, Prospectors' or Mining Committees, or other Associations of the kind created in pursuance of this Act.
- (d) For securing efficient and competent management and control of all mines and mining operations and machinery, for the granting, withdrawal, suspension, or cancellation, of managers' or other certificates of competency, and the like.
- (e) For prescribing the mode of inspection of all mines and mine workings, and the powers and duties to be exercised by the persons authorised to act as Inspectors in that behalf.
- (f) For the protection of the surface, and of railways, tramways, streets, roads, occupied buildings and other surface objects, which it is necessary to protect in the interest of personal safety or public traffic.

- (g) For prescribing the manner and ensuring the keeping of registers of employés and any records generally relating to any mine and mining operations, and for the making and rendering of full and correct returns and information relating to the same, and as to the quantity and value of all minerals extracted from any mine from time to time.
- (h) For providing upon whom the onus of proof shall lie in certain cases of accident, and under what circumstances the occurrence of an accident may be *prima facie* evidence of neglect and the like, and for providing upon whom responsibility shall rest in certain cases.
- (i) For the making of mine surveys, and the preparing, keeping, and furnishing of mine plans and the like, whether in relation to existing or abandoned mines and workings.
- (j) For the making and observance of special rules for the maintenance of order, discipline, and the prevention of accidents in connection with mines and any mining operations, and to make provision for such special rules having the same force and effect as regulations made under this Act.

And generally for all purposes whatsoever necessary or conducive to the safety and healthiness of mines.

144. No person shall be precluded by any agreement from doing such acts as may be necessary in order to comply with the foregoing section, nor shall any person be liable under any contract to any penalty or forfeiture for doing such acts as may be necessary in order to comply with the said section.

Compliance not to be restrained

145. Any person contravening any Regulation made under Section 143 of this Act, may be punished by a fine not exceeding Fifty Pounds Sterling, or by imprisonment with or without hard labour for a period not exceeding six months, or by both such fine and such imprisonment, and also by imprisonment in default of payment of any fine imposed.

Punishment for contravention of regulations under Sec. 143

Part XIII.

CONTRAVENTIONS AND LEGAL PROCEEDINGS.

146. The contravention, infringement, or wilful disregard of any obligation or prohibition imposed by this Act or by the Regulations shall be deemed an offence,

Offences.

Jurisdiction of
Magistrates.

147. All offences for which no greater punishment than a fine of Fifty Pounds, or imprisonment with or without hard labour for one year is appointed, shall be cognisable in the Courts of Magistrates.

148. All offences for which no special punishment is appointed shall be cognisable in the Courts of Magistrates, and punishable according to the ordinary criminal jurisdiction thereof.

Special jurisdiction of Magistrates in certain cases.

149. If any offence under this Act has been committed which would not be cognisable by a Magistrate by reason of the punishment to which the same is subject, a certificate may be presented to any Magistrate, signed by the Attorney-General, to the effect that such Officer is content that such offence or act shall be prosecuted before the Court of such Magistrate, and in such case it shall be competent to such Magistrate to take cognisance of such offence or act, and to award in respect thereof so much of the punishment assigned thereto as he is empowered under the Laws defining the powers and jurisdiction of Magistrates to award: Provided that no offender shall be deprived of the right competent to defendant or prisoner under Section 5 of Law No. 16 of 1861, or of any similar Act.

Prosecutions in
Supreme Court.

150. All contraventions of this Act, other than those cognisable in the Courts of Magistrates shall be prosecuted by the Attorney-General before the Supreme Court or any Circuit Court, and in the latter case it shall not be necessary for the prosecutor to show, nor shall it be material whether the contravention charged was committed within the jurisdiction of such Circuit Court: Provided, however, that it appear that such contravention occurred within the jurisdiction of the Supreme Court.

Enforcement of
penalties.

151. Any money penalties imposed by this Act, or by the Regulations, may be enforced by criminal prosecution in any competent Court, or any such penalties may be sued for by a civil action at the instance of the Commissioner of Mines.

Discretion as to
penalties.

152. The Commissioner of Mines may, with the permission of the Minister, waive proceedings against any person liable to a money penalty under this Act, or may demand, accept, or sue for the whole of such penalty, or any part thereof, at his discretion.

Saving of other
prosecutions.

153. Nothing in this Act shall prevent any prosecution to which any person would but for this Act be liable: Provided that no person be twice punished for the same act.

Disposal of fines.

154. All fines imposed by this Act shall be paid to the general revenue.

SCHEDULE A.

No.. Natal Mines Act, 1899.

CERTIFICATE OF REGISTRATION OF PROSPECTING CLAIM.

Office of Issue.....

This is to certify that of
is the registered holder of the Prospecting Claim under-
mentioned :—

Registered No.....

Date of Registration

*Class of Claim

Name of Claim (if any)

†Lands whereon Claim is situated.....

Precise Locality and District.....

Special Conditions and Reservations (if any)

Registration fee paid, 10s

Dated this.....day of..... 1.....

.....

Deputy Commissioner of Mines

SCHEDULE B.

No..... Natal Mines Act, 1899.

EXEMPTION LICENSE

issued under and subject to the provisions of the Natal
Mines Act, 1899, and the Regulations framed thereunder.

Office of Issue.....

.....

License is hereby granted to
of..... exempting the.....
.....†Claim registered No.....from working condi-
tions for.....months from..... to
and for which has been paid in advance the sum of £

Dated this.....day of....., 1.....

.....

Deputy Commissioner of Mines.

Any transfer of this License must be endorsed hereon in form of
Schedule K.

* Alluvial, Metal, or Mineral,

† Crown, Trust, or Private Lands.

Any cession of this claim must be endorsed hereon in form of
Schedule J.

† Prospecting or Mining, as the case may be.

SCHEDULE C.

Regd. No...

Natal Mines Act, 1899.

COLONY OF NATAL.



CERTIFICATE OF TITLE.

.....Mining Claim.

Know all men that I..... Minister
of....., and acting herein on behalf of and
representing the Colonial Government of Natal, do hereby
grant unto.....of....., his executors,
administrators, and assigns, the.....Mining Claim
particularly described hereunder, and indicated on the dia-
gram hereto attached, under and subject to the provisions of
the Natal Mines Act, 1899, and Regulations framed there-
under.

Locality and District
Lands whereon claim is situated
Description (dimensions, area, boundaries, &c.)
Special conditions and reservations (if any).....

Dated at.....this..... day of..... 1

.....

Minister.....

Witness :

.....

Registered by me at.....this.....day of..... 1
Registered No. of Claim.....

It is a condition of this Certificate that the claim
license under which the claim is held shall be renewed from
time to time, and that the provisions of the Act and of
the Regulations thereunder shall otherwise be complied
with.

.....

Deputy Commissioner of Mines.

(NOTE.—Any cession of this claim must be endorsed hereon
in the form of Schedule J.)

SCHEDULE D.

Natal Mines Act, 1899.

NOTICE OF ENTRY.

To.....1 .

You are notified that I have been granted.....
 Prospecting Claim License , giving me the right to enter
 and prospect on the....., known as
, and that I propose to
 enter and prospect thereon in pursuance of such License.

Dated this.....day of.....1 .

Signature of License Holder.....

SCHEDULE E.

Natal Mines Act, 1899.

NOTICE OF APPLICATION FOR REGISTRATION OF
PROSPECTING CLAIM.

OfficeI .

To.....

Take notice that application has been made to me by
for the registration in his name of a
 Prospecting Claim as follows :—

Any objections to the registration of such claim must
 be lodged with me in writing, on or before theday of
, 1...

.....
 Deputy Commissioner of Mines

SCHEDULE F.

No..... Natal Mines Act, 1899.

PERMIT TO OBTAIN PROSPECTING CLAIM LICENSE FOR
TRUST LANDS.

(Issued under and subject to the provisions of the Natal
 Mines Act, 1899, and the Regulations framed thereunder).

Permission is hereby granted to.....to apply
 for and obtain.....Prospecting Claim Licenses

applicable to the.....Trust Lands belonging to
 in the (*Division or District*) of.....

Secretary to the Trust.

LICENSES ISSUED IN VIRTUE OF THIS PERMIT.

No. of License.	Date of Issue.	Office of Issue.	Signature of Officer Issuing License.

SCHEDULE G.

Reg. No....

Natal Mines Act, 1899.

CERTIFICATE OF TITLE TO WATER RIGHT.

A Water Right as herein mentioned and indicated in
 diagram attached is hereby granted to... ..
 of..... ..under and subject to the provisions of the
 Natal Mines Act, 1899, and the Regulations framed there-
 under.

Reg. No. and class of claim in connec- }
 tion with which Water Right is }
 granted }
 Precise Locality and District of Water }
 Right }
 Description of lands over which it is }
 applied for }
 Amount of water authorised to be }
 diverted }
 Position and dimensions of Dam, Re- }
 servoir, or Pumping Station }
 Special conditions and reservations (if any)
 Dated this.....day of.....1 .

.....

Commissioner of Mines.

Water Right Registered atthis.....
 day of... ..1 . Under No.....

.....
 Deputy Commissioner of Mines.

Any cession of this Water Right must be endorsed hereon
 in form of Schedule J.

SCHEDULE H.

No....

Natal Mines Act, 1899.

CERTIFICATE OF TITLE TO MACHINE STAND.

A Machine Stand as hereunder mentioned and indicated
 in diagram attached is hereby granted to.....
 of.....under and subject to the provisions of
 the Natal Mines Act, 1899, and the Regulations framed
 thereunder.

Reg. No. and class of claim (if any) in }
 connection with which Machine }
 Stand is granted.

District and Precise Locality of Machine }
 " Stand }

Description (dimensions, area, boundaries }
 &c.) }

Special conditions and reservations 'if any').....

Dated this.....day of.....1 .

.....
 Commissioner of Mines.

Machine Stand registered at.....this.....
 day of.....

Reg. No.....

.....
 Deputy Commissioner of Mines.

Any cession of this Machine Stand must be endorsed hereon
 in Form of Schedule J.

SCHEDULE I.

Regd. No... Natal Mines Act, 1899.

FORM OF CESSION OF LICENSED HOLDING.

I... ..of.. ..being the registered
 holder of.....registered numbers.....in the

(*Division or District*) of
do hereby cede and transfer the said.....and my right,
title, and interest therein to.....of.....his
heirs and assigns, subject to all and singular the terms and
conditions under which the said.....has been held by
me and I the said.....hereby accept the cession and
transfer of the said.....subject to the terms and con-
ditions aforesaid.

Dated at.....this.....day of.....1...

.....Transferor.

.....Transferee.

Witness to signatures

.....

Registered by me at.....this.....day of.....

1... under No.....

Fee paid 10s.

.....
Deputy Commissioner of Mines.

SCHEDULE J.

*To be endorsed on Certificate of Title or Certificate of
Registration of Licensed Holding transferred.*

Natal Mines Act, 1899.

ENDORSEMENT OF CESSION OF LICENSED HOLDING.

The within..Regd. No.....was on the
..... day of.....duly ceded and transferred by
.....to.....who is now the registered holder
thereof.

Reg. No. of Cession.....

Dated this.....day of.....1.....

Fee paid 2s. 6d.

.....
Deputy Commissioner of Mines.

SCHEDULE K.

To be Endorsed on License.

Natal Mines Act, 1899.

TRANSFER OF LICENSE.

The rights in this License are transferred to.....
of

Dated this.....day of.....18.....

.....
Deputy Commissioner of Mines.

SCHEDULE L.

Natal Mines Act, 1899.

DECLARATION OF DISCOVERY.

I, the undersigned, do hereby solemnly declare that I did on the.....day of.....discover..... particulars whereof are as follows :—

Precise Locality of discovery.....

Registered No. of Claim (if any).....

Description of Mineral discovered.....

Nature and other particulars of Deposit.....

And I declare the above statement to be true in every particular to the best of my knowledge.

The samples markedforwarded herewith were found and taken by me from the place of discovery in above declaration mentioned, and truly represent the nature of the mineral deposit there found.

Declared before me this.....day of..... at.....

.....Discoverer.

.....No. of Claim License.

Resident Magistrate or Justice of the Peace.

SCHEDULE M.

Natal Mines Act, 1899.

LICENSE TO DEAL IN NATIVE GOLD AND PRECIOUS STONES.

License is hereby granted to to buy and sell, deal in, and to be in possession of native gold and precious stones during the period from..... to 31st December, 1..... for which license he has paid the sum of £

This license is held subject to forfeiture for any breach of the Law and Regulations relative to the possession of and dealing with Native gold and precious stones.

STAMP.

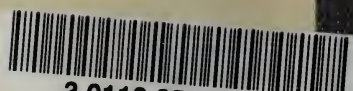
.....
Commissioner of Mines.

Office of Commissioner of Mines,
Natal.....1.....

Given at Government House, Natal, this Twenty-third day of November, 1899.

By command of His Excellency the Governor,

CHARLES J. SMYTHE,
Colonial Secretary.



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